

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

Jonathan Rivera-Pierola,

Plaintiff(s),

v.

Board of Regents for the Oklahoma Agricultural
Defendant(s). and Mechanical Colleges,

Case No. CIV- 21-616-PRW

JUNE 2023 TRIAL DOCKETSCHEDULING ORDERDate: 8/2/2022 Time: 9:30 to 9:48 Judge Patrick R. Wyrick Clerk: Kathy Spaulding

Appearing for Plaintiff(s):	<u>Jack Freeman, Jason Bach (by phone)</u>
Appearing for Defendant(s):	<u>Clinton Pratt</u>

☒ Jury Trial Demanded - ☐ Non-Jury TrialTHE FOLLOWING DEADLINES ARE SET BY THE COURT

NOTE: Except as otherwise specifically ordered by the assigned judge, this case will not be scheduled for a judicial settlement conference unless, not later than ten (10) days after the trial docket is published, the parties file a joint motion requesting a judicial settlement conference. The motion shall contain a certification by counsel that the parties have been advised of the motion and approve its filing. The motion shall further describe in detail the settlement efforts made and dispute resolution techniques previously used in the case.

1. Motions to join additional parties to be filed
30 days from date of this order.
2. Motions to amend pleadings to be filed
30 days from date of this order.
3. (a) Plaintiff to file a final list of expert witness(es)
in chief and submit expert reports to defendant by
04-01-2023.*
(b) Defendant to file a final list of expert witness(es)
in chief and submit expert reports to plaintiff by
04-11-2023.*
4. (a) Plaintiff to file a list of witnesses together with
addresses and brief summary of expected testimony
where witness has not already been deposed by
04-01-2023.*
(b) Defendant to file a final list of witnesses (as
Described above) by 04-11-2023.*
5. (a) Plaintiff to file a final exhibit list by 04-01-2023.
Defendant to file objections to the plaintiff's final
exhibit list, under Fed.R.Civ.P. 26(a)(3)(B), within
(14) fourteen days thereafter.
(b) Defendant to file exhibit list by 04-11-2023.
Plaintiff to file objections to the defendant's final
exhibit list, under Fed.R.Civ.P. 26(a)(3)(B), within
(14) fourteen days thereafter.
6. Discovery to be completed by 05-01-2023.
7. *Daubert* motions to be filed by 05-01-2023.
8. All dispositive motions to be filed by 04-01-2023.
9. Trial Docket: JUNE 2023 **

*The listing of witnesses and exhibits shall separately state those expected to be called or used and those which may be called or used if the need arises. Except for good cause shown, no witness will be permitted to testify and no exhibit will be admitted in any party's case in chief unless such witness or exhibit is included in the party's filed witness or exhibit list.

If the deadline for dispositive motions or *Daubert* motions precedes the discovery deadline, the parties are expected to conduct any discovery necessary for such motions in advance of the motion deadline.

**Trial dockets generally begin the second Tuesday of each month; however, this practice varies, particularly during holidays. The published trial docket will announce the trial setting.

The interval between the dispositive motion deadline (¶8) and the trial docket (¶9) is relatively inflexible.
An extension of time to file or respond to a dispositive motion will likely affect the trial setting.

10. Designation of deposition testimony to be used at trial to be filed by 05-25-2023.

Objections and counter designations to be filed by 06-01-2023. Objections to counter-designations to be filed within seven (7) days thereafter.

11. Motions in limine to be filed by 05-25-2023.
[No replies to motions in limine shall be filed without leave of Court]

12. Requested voir dire to be filed by 05-25-2023.

13. Trial briefs (optional unless otherwise ordered) to be filed by 05-25-2023.

14. Requested jury instructions to be filed on or before 05-25-2023.***

15. Proposed findings and conclusions of law to be filed no later than 05-25-2023.***

***In addition to filing, the parties **ARE REQUIRED** to submit their proposed jury instructions or in non-jury cases the proposed findings and conclusions of law in **Word** format to the judge via the Court's designated mail box: **wyrick-orders@okwd.uscourts.gov**

16. Any objections or responses to the trial submissions referenced in ¶¶ 10, 11, 12, 13 or 14 to be filed within seven (7) days thereafter.

17. The Final Pretrial Report, approved by all counsel, and in full compliance with Local Rules (see Appendix IV), together with a proposed order approving the report, to be filed by 05-25-2023.

18. This case is referred to ADR: ☒ ^{Private} Mediation, ☐ Judicial Settlement Conference
☒ by agreement of the parties, with approval of the Court
☐ by Order of the Court

If the case is referred to mediation or some other form of private ADR, the process shall be completed and a report filed with the Court by the parties, stating whether the case settled, no later than 2/24/2023.

(ADR information and forms are available on the court's website at www.okwd.uscourts.gov)

19. ☐ The parties consent to trial by Magistrate Judge.

20. ☐ Initial disclosure pursuant to Fed. R. Civ. P. 26 have been made;
☐ are excused; or ☐ shall be made not later than _____.

21. Other: _____

Dated this 2nd day of August, 2022.

BY ORDER OF THE COURT
 CARMELITA REEDER SHINN, CLERK

By: s/Kathy Spaulding
 Deputy Clerk